

PURPOSE

To describe the Michigan Department of Health and Human Services (MDHHS) process for designating covered and non-covered components.

REVISION HISTORY

Reviewed: 01/01/2022.

Next Review: 01/01/2023.

PROCEDURE

1. The chief compliance officer or his or her designee is responsible for developing and managing a process to determine components within the MDHHS that perform covered functions (covered components).
2. Components of the MDHHS that perform covered functions shall be identified by bureau, division, section, or office level, as appropriate for a program.
3. Determinations of covered and non-covered components shall be documented by the Compliance and Data Governance Bureau.
4. Prior to finalizing its determinations, the chief compliance officer may submit the MDHHS's determination of HIPAA applicability to Legal Affairs for review.
5. Documentation that includes review by legal counsel shall be retained by the Compliance and Data Governance Bureau.
6. The chief compliance officer shall periodically update determinations of covered and non-covered components and enterprise characterization summary to reflect reorganization of functions within the MDHHS.

REFERENCES

45 CFR §164.103 (Definition Hybrid Entity), 45 CFR §164.105(a).

CONTACT

For additional information concerning this procedure, contact the MDHHS Compliance and Data Governance Bureau at MDHHSPrivacySecurity@michigan.gov.